

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT JASPER,

Plaintiff,

CIVIL CASE NO. 05-40042

v.

DAN CROFT and FORD MOTOR COMPANY,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

Defendants.

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ORDER GRANTING MOTION TO DISMISS

Before the Court is Defendants' motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 37(d), filed on December 23, 2005. After Plaintiff failed to respond to the motion, this Court issued an order to show cause on January 30, 2006, ordering Plaintiff to show cause in writing why he had failed to comply with Defendants' discovery requests, failed to respond to Defendants' December 23, 2005 motion to dismiss, and failed to meaningfully pursue his case. Plaintiff filed a response to the order to show cause on February 7, 2006. In his response, Plaintiff argues that he did not answer the interrogatories because he never received them. Plaintiff does not address the other concerns raised by Defendants or by the Court such as Plaintiff's failure to appear for his own deposition, Plaintiff's failure to meaningfully pursue litigation, and Plaintiff's failure to respond to Defendants' motion to dismiss. On March 10, 2006, Plaintiff also filed a "Request" for a continuation of the litigation, again mentioning only the interrogatories. Consequently, Plaintiff has not adequately satisfied this Court's January 30, 2006 order to show cause.

ACCORDINGLY, IT IS HEREBY ORDERED that Defendants' motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 37(d) [docket entry 11] is **GRANTED**.

IT IS FURTHER ORDERED that this case, Civil Case No. 05-40042, is **DISMISSED WITH PREJUDICE**. Defendants shall be awarded attorneys' fees and costs in the amount of \$500.00.

SO ORDERED.

Dated: April 18, 2006

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on April 18 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Elizabeth P. Hardy; Noel D. Massie; Marlo J. Roebuck, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Richard G. Gwizdz; Robert Jasper.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
(810) 341-7845